

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, OCTOBER 17, 2002  
8:15 A.M.**

Commissioners Present: Bob Workman, Chair  
Bernie Heier, Vice Chair  
Kathy Campbell  
Larry Hudkins  
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Trish Owen, Chief Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 8:18 a.m.

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY OCTOBER 3, 2002 AND TUESDAY, OCTOBER 15, 2002**

**MOTION:** Campbell moved and Heier seconded approval of the Staff Meeting minutes of October 3, 2002. Stevens, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

The Board held the Staff Meeting minutes of October 15, 2002.

**2 ADDITION TO THE AGENDA**

A. Attendance at the Nebraska Association of County Officials (NACO) Annual Convention, December 3-5, 2002

**MOTION:** Heier moved and Campbell seconded approval of the addition to the agenda. Stevens, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

It was decided that the Commissioners and/or Commissioners-Elect will attend the convention.

**3 COMMISSIONER MEETING REPORTS**

A. Joint Budget Committee - Campbell, Stevens

Stevens reported on the status of the Malone Community Center and said a final report on the assistance provided by Cedars Youth Services was received.

B. Public Building Commission - Campbell, Hudkins

Campbell and Hudkins reported that the County/City Master Plan 2002, Natural Gas Price Cap Program and land transactions were discussed. A space heater policy was passed and an aquarium policy was held.

C. Monthly Meeting with Mayor Wesely - Heier, Workman

Heier and Workman reported that Trabert Hall as a possible location for Aging and Urban Development and impact fees were discussed.

D. Board of Health - Hudkins

Hudkins reported on a new dog and cat ordinance and said the City has been asked to consider including veterinarians that offer boarding services.

Campbell suggested a future work session on zoning regulations.

E. Community Services Implementation Project (C-SIP) - Campbell, Stevens

Campbell reported on the efforts of United Way of Lincoln-Lancaster County, the City of Lincoln, Lancaster County, and Woods and Lincoln Foundations to build a lasting governance and structure for human services long-range planning.

F. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Hudkins, Stevens

Hudkins reported that the Lincoln Independent Business Association (LIBA) does not plan to take a position on the Lincoln Convention & Visitors Bureau (CVB) contract.

G. Visitors Promotion Advisory Committee - Workman

Kerry Eagan, Chief Administrative Officer, said statistics were reviewed and a report on the hotel contract was received.

**4 BUILDING PERMITS FOR FARMSTEAD RESIDENCES** - Chuck Zimmerman, Building & Safety; Mike DeKalb, Planning Department; Norm Agena, County Assessor; Dave Johnson, Deputy County Attorney

Chuck Zimmerman, Building & Safety, asked for direction on how to address the issue of frontage on "flag lots" (interior lots with long, narrow access to the county road, often with a common driveway).

Hudkins said sight distance and topography may be more important than strictly adhering to the frontage requirement and recommended that Zimmerman consult Larry Worrell, County Surveyor.

Norm Agena, County Assessor, said a determination will need to be made as to whether lots lacking sufficient frontage are buildable, noting the impact on how they will be valued.

Mike DeKalb, Planning Department, said direction is also needed with regard to trailers and interior 20 acre lots.

Hudkins said he would like to see a mechanism to permit interior 20 acre parcels, as there are situations where no mile roads are open.

Zimmerman asked whether the Board wants to distinguish between lots created prior to 1979 (effective date of the zoning code) or those created prior to Sept 12, 2002 (the effective date of the resolution requiring building permits on farmstead residences).

Dave Johnson, Deputy County Attorney, noted that some individuals initiated projects prior to Sept 12, 2002.

Stevens suggested a time limit on construction.

Zimmerman said one situation involves a mobile home. He said the owners sought information from Building & Safety in July, 2001 and were apprised a building permit was not required at that time, but that the law could change. They purchased a mobile home on September 9, 2001, but did not file an application.

In response to a question from Hudkins, DeKalb said the County has not enforced zoning regulations for trailers on 20 plus acre parcels.

Board consensus was to require the individual to apply for a Special Permit, adding conditions to require an inspection by Building and Safety and the mobile home to be skirted and tied down.

Zimmerman said Building and Safety would prefer that inspections not be required for replacements and interior remodels on 20 plus farmsteads, unless they are substantial projects.

**5 CONTRACTS WITH STATE PROBATION FOR DRUG COURT AND JUVENILE PRE-ADJUDICATION RELEASE** - Kit Boesch, Human Services Administrator; Dave Johnson, Deputy County Attorney; Lori Griggs, Juvenile Probation Administrator

Dave Johnson, Deputy County Attorney, noted receipt of a letter from Ed Birkel, State Probation Administrator, (Exhibit A) regarding the contracts for: 1) Services of a drug treatment court coordinator, two drug treatment court probation officers, a part-time drug technician and secretary for the Adult Drug Treatment Court (\$101,729); 2) Electronic monitoring of preadjudicated and/or predisposition juvenile offenders on home arrest or detention and the services of two probation officers (\$71,232); and 3) Services of a drug court coordinator and probation officer for Juvenile Drug Court (\$63,766). He said these are eight month agreements that will end June 30, 2003 and said it is hoped that legislation to allow counties contracting with the state to pay in advance of services will be in place by that time.

Kit Boesch, Human Services Administrator, noted that the budget for these services is \$96,431 and said there is approximately a \$30,000 funding gap. She said the County will need to find additional funds by the end of the eight month contract period to meet the budget requirement.

Lori Griggs, Juvenile Probation Administrator, added that the Juvenile Drug Court will be applying for other grants for continuation funding.

#### **ADDITION TO THE AGENDA**

B. Introduction of the Coordinator for Adult Offender Services

**MOTION:** Campbell moved and Stevens seconded approval of the addition to the agenda. Stevens, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

Commissioner Heier, Board of Corrections Chair, introduced Warren Cook, Coordinator for Adult Offender Services.

The Board scheduled a strategy and planning session with Cook on December 12, 2002 from 12:30 p.m. to 5 p.m.

**6 LINCOLN JOURNAL STAR EDITORIAL STAFF** - Cathy Rutledge, Editor; Steve Thomas, Managing Editor; Peter Salter, City Editor

Item dropped from the agenda.

**7 ARCHER DANIELS MIDLAND EXPANSION PROJECT** - Darl Naumann, Aide to the Mayor for Economic Development; Troy Gagner, Economic Development Coordinator; Sherry Hanneman, Lincoln Partnership for Economic Development (LPED)

Darl Naumann, Aide to the Mayor for Economic Development, gave an overview of a \$3 million rail expansion project for Archer Daniels Midland.

In response to a question from Dave Johnson, Deputy County Attorney, Naumann said the required match was met through private funds (\$2.5 million).

Troy Gagner, Economic Development Coordinator, reported on the environmental assessment. He said notice of a finding of no significant impact and notice of intent to request release of funds for the project will be published, followed by a 15 day public comment period.

**8 PEOPLES HEALTH CENTER** - Judy Halstead, Resource and Program Development Coordinator for the Lincoln/Lancaster County Health Department; Kit Boesch, Human Services Administrator

Judy Halstead, Resource and Program Development Coordinator for the Lincoln/Lancaster County Health Department, reviewed a proposal to apply for federal funds to establish a Community Health Center for Lincoln, noting the following (Exhibit B):

- \* Steering Committee
- \* Goals
- \* Model
- \* Requirements
- \* Target Population

Halstead also distributed copies of the House Congressional Record, dated October 16, 2002, in which Congressman Bereuter expresses support for a Federally Qualified Health Center (FQHC) in his congressional district, which includes Lancaster County (Exhibit C).

Campbell asked Halstead to give a presentation on the Community Health Center to the General Assistance Monitoring Committee at its October 22, 2002 meeting.

**9 POTENTIAL LITIGATION** - Doug Cyr and Dave Johnson, Deputy County Attorneys

**MOTION:** Heier moved and Hudkins seconded to enter Executive Session at 11:20 a.m. for discussion of potential litigation. Stevens, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

**MOTION:** Heier moved and Campbell seconded to exit Executive Session at 12:23 p.m. Campbell, Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

**10 ATTENTION CENTER DEMOLITION** - Don Killeen, County Property Manager

Item dropped from the agenda.

**11 ACTION ITEMS**

- A. Microcomputer Request, C#2002-322, \$204.80 from the County Attorney's Budget for Emulation Software

**MOTION:** Campbell moved and Heier seconded approval. Stevens, Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

- B. Letter to Lincoln City Council Regarding Lease of Trabert Hall to Aging and Urban Development

The Board reviewed a letter draft (Exhibit D) and requested the following revisions:

- \* Point out that Aging is a joint city/county agency and that the County pays 10 percent of its operating costs and 50% of its capital improvement costs
- \* Copy the Downtown Lincoln Association (DLA) Board of Directors

## 12 ADMINISTRATIVE OFFICER REPORT

- A. Pension Consultation Proposals

Board consensus was to have Kerry Eagan, Chief Administrative Officer; Dave Kroeker, Budget and Fiscal Officer; Doug Cyr, Deputy County Attorney; and Kathy Smith, Assistant Purchasing Agent, review the bids.

- B. Letter from Larry Van Hunnik, Lancaster Manor Administrator, Regarding Tort Claim Filed by Naoma Hilligass

The Board scheduled discussion of the pending litigation matter on the October 24, 2002 Staff Meeting agenda.

- C. Lincoln Convention & Visitors Bureau (CVB) Proposals

Board consensus was to: 1) Schedule action on the proposals on the November 7, 2002 Staff Meeting agenda; 2) Direct Eagan to draft a letter, for signature by the Chair, to members of the Convention and Visitors Bureau Services Review Committee informing them that action on the proposals has been scheduled and that specific questions have been raised regarding the scoring process; and 3) Ask that a County Attorney's opinion on the issue of whether it is improper to give lodging tax dollars to a for-profit organization be submitted to the Board, prior to the November 7, 2002 Staff Meeting.

- D. Contract with Legislative Consultant

Eagan said Gordon Kissel, Legislative Consultant, has requested an \$8,000 increase in his contract (an increase from \$32,000 to \$46,000) for the following reasons (Exhibit E): 1) Increase in copying costs related to legislative updates; 2) Cost of hiring interns and students to help cover the legislative committee hearings; and 3) An increase in staffing to meet the requirements of the contract.

**MOTION:** Heier moved and Campbell seconded to schedule the contract on a County Board of Commissioners Meeting agenda.

The Board asked Eagan to review the scope of services in the contract.

**FRIENDLY AMENDMENT:** The seconder of the motion offered a friendly amendment to require Board review of the revised contract before it is scheduled on a County Board of Commissioners Meeting agenda.

The maker of the motion agreed to the friendly amendment.

**ON CALL:** Stevens, Campbell, Heier, Workman and Hudkins voted aye. Motion carried.

E. Lincoln-Lancaster Women's Commission Appointments

The Board scheduled the item on the October 22, 2002 County Board of Commissioners Meeting agenda.

F. Mayor's Infrastructure Finance Study Committee

The Board declined the invitation to have a representative serve on one of the Infrastructure Finance Study Committee's Work Groups.

### **13 ADJOURNMENT**

**MOTION:** Heier moved and Stevens seconded to adjourn the meeting at 12:39 p.m. Campbell, Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

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Bruce Medcalf  
County Clerk